

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,) CR-S-03-542-JCM (PAL)
Plaintiff,)
v.)
Charles Acosta, et al.,)
Defendants.)

(Proposed)

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
DENYING DEFENDANT HURN'S MOTION FOR ELECTION AND DISMISSAL OF
COUNTS FOR MULTIPLICITY (#1123) AND DEFENDANT HURN'S MOTION TO
DISMISS VINDICTIVE PROSECUTION AND FOR DISCOVERY RELATED
THERE TO (#1122) AND ORDER DENYING DEFENDANT MORALES' MOTION
FOR RECONSIDERATION OF MOTION FOR BILL OF PARTICULARS (#911)**

On September 5, 2006, this Court held a hearing to consider defendant Hurn's Objections to the Magistrate Judge's Report and Recommendation denying defendant Hurn's Motion for Election and Dismissal of Counts for Multiplicity (#1123) and defendant Hurn's Motion to Dismiss Vindictive Prosecution and For Discovery Related Thereto (#1122). The Court also scheduled for hearing defendant Morales' Motion for Reconsideration of Motion for Bill of Particulars (#911).

After reviewing the briefs filed and hearing argument from all parties, the Court adopts the Magistrate Judge's recommendation and denies defendant Hurn's Motion for Election and Dismissal of Counts for Multiplicity (#1123) and defendant Hurn's Motion to Dismiss Vindictive Prosecution and For Discovery Related Thereto (#1122). The Court also denies defendant Morales' Motion for Reconsideration of Motion for Bill of Particulars (#911).

Dated September 12, 2006.


JAMES C. MAHAN
United States District Judge